

**Enrolled Minutes of the Thirtieth Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Meeting
Monday, March 13, 2017**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, March 13, 2017 at 6:46 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.
2. The Town Council discussed proposed Enactment No. 2017-11.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, March 13, 2017 at 7:01 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Dan Vassar presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark A. Herak reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Jared Tauber, Esq., Town Attorney; John M. Bach, Public Works Director; Peter Hojnicki, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; and Cecile Petro, Redevelopment Director, were present.

Also present: Ed Dabrowski IT Director (Contract) was also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 27 February 2017 were approved by general consent.

Staff Reports: The following staff reports were received and filed.

• Building & Inspection Report for February 2017

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	2	0	2	\$10,907.00	\$695.00
Signs:	8	0	8	\$74,168.00	\$3,003.00

Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	25	25	0	\$158,360.00	\$3,157.00
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences:	1	1	0	\$1,000.00	\$82.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	1	1	0	\$17,578.00	\$294.50
Miscellaneous	2	1	1	\$0.00	\$237.50
TOTAL:	39	28	11	\$262,013.00	\$7,469.00
Electrical Permits	10	6	4		\$1,111.00
Mechanical Permits	5	5	0		\$387.50
Plumbing Permits	2	2	0		\$226.75
Water Meters	4	2	2		\$1,185.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	6	4	2		\$1,411.75

February Code Enforcement:

Investigations: 75
Citations: 01

February Inspections:

Building: 25 Electrical: 14 Plumbing: 06 HVAC: 06
Electrical Exams: 2

Fire Department to be filed next month.

• **Workplace Safety Report for February 2017**

There were no incidents to report for February. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2017	Total in 2016	Restricted Days 2017	Lost Workdays This Year (2017)	Restricted Days Last Year (2016)	Lost Workdays Last Year (2016)
Parks	0	0	1	0	0	12	0
Fire	0	0	1	0	0	0	0
Police	0	0	6	0	0	2	21
Street	0	0	1	0	0	0	0
Water & Sewer	0	0	6	0	0	14	0
Maint.	0	0	1	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	0	0	16	0	0	28	21

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

- **Statutory Boards and Commissions**

Executive Appointments (May be made in meeting or at another time)

1. **Waterworks Board of Directors:** (1) appointment to be made by Town Council President. *(Note: Currently serving Keith Bruxvoort (R). Mr. Bruxvoort has indicated that he no longer wishes to be considered. Current composition of the board is two Republicans, two Democrats and one vacancy. No more than three of any one party under state law.*

The Town Council President, as municipal executive, announced his appointment of *Ed Dabrowski (D)* to the Board of Waterworks Directors.

2. **Board of Sanitary Commissioners.** (1) Appointment to be made by municipal executive. *Appointment for the vacancy effective March 1 made by the resignation of Jay Shelton, for unexpired term. Current composition of the board is three Republicans, one Democrat and one vacancy. No more than three of any one party under state law.*

The Town Council President, as municipal executive, announced his appointment of *Kathy DeGuilio-Fox (D)* to the Board of Sanitary Commissioners, fulfilling the unexpired term of Jay Shelton.

Unfinished Business and General Orders:

1. **Proposed Enactment No. 2017-11:** An Enactment to Authorize, Approve and Ratify Certain Actions Related to Preserving Continuity of Benefits for Corporal L. Potesta and Related Authorizations.

Councilor Herak introduced and filed Enactment No. 2017-11. There was no further action.

2. **Resolution No. 2017-12:** A Resolution Of The Fiscal Body Of The Town Of Highland Authorizing Sponsoring The Monthly Radio Show Broadcast On Radio Station WJOB Devoted To The Town Of Highland.

Councilor Kuiper moved the passage and adoption of Resolution No. 2017-12. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND
Town Council Resolution No. 2017-12

A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND AUTHORIZING SPONSORING THE MONTHLY RADIO SHOW BROADCAST ON RADIO STATION WJOB DEVOTED TO THE TOWN OF HIGHLAND

WHEREAS, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

WHEREAS, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

WHEREAS, Section 2.35.030 of the Highland Municipal Code authorizes the Town Council to appropriate funds of the General Fund to pay the expenses incurred in promoting the best interests of the Town;

WHEREAS, Councilor Bernie Zemen has more several years hosted a program broadcast on Radio Station WJOB once a month, in which the subject is the Town of Highland and matters of public interest and import regarding the Town;

WHEREAS, Councilor Zemen has funded the sponsorship fee by soliciting and obtaining patrons from vendors and benefactors in and of the Town; and,

WHEREAS, Councilor Zemen has communicated the undue burden and ill ease he experiences in enrolling sponsors and patrons to support the fees to support the program as required by WJOB;

WHEREAS, The Town Council now desires to make findings and determinations necessary to support authorizing the payment of the sponsorship fee to support the monthly program related to the Town of Highland,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Town Council hereby finds and determines that a monthly radio broadcast on WJOB devoted to news and information about the Town of Highland *promotes the best interests of the Town, may serve to develop relations with other units of government* and is a desirable activity of a civil or governmental nature;

Section 2. That the Highland Town Council hereby further finds and determines as follows:

(A) That the expense of two hundred dollars (\$200) per month to sponsor or support the broadcast of a monthly radio program on WJOB devoted to news and information about the Town of Highland is an expense that *promotes the best interests of the Town, may serve to develop relations with other units of government* and is an expense of a civil or governmental nature; and,

(B) That the expenses previously described are consistent with and pursuant to the authorization set forth in Section 2.35.030 of the Highland Municipal Code to wit:

§ 2.35.030 AUTHORITY OF TOWN COUNCIL TO REIMBURSE TOWN OFFICIALS FOR CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 3. That effective for the months of March through December 2017, the expense of two hundred dollars (\$200) per month are hereby authorized to support the sponsorship of the Radio program on WJOB devoted to the Town of Highland;

Section 4. That the proper officer is authorized to encumber funds from the proper account of the Corporation General Fund, payable to WJOB, for the period authorized in Section 3 of the is resolution;

Section 5. That the Clerk-Treasurer shall process all payments in accordance with the provisions of IC 5-11-10-1.6 and IC 36-5-4 et seq., as all other claims for payment of the Town.

DULY RESOLVED and ADOPTED this 13th Day of March 2017, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Dan Vassar, President

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

3. **Works Board Order No. 2017-07: An Order of the Works Board Accepting Certain Bids for Road Materials, Supplies, and Services for the Year 2017**

Councilor Herak moved the passage and adoption of Works Board Order No. 2017-07. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
BOARD OF WORKS
ORDER OF THE WORKS NO. 2017-07**

An Order of the Works Board Accepting Certain Bids for Road Materials, Supplies, and Services for the Year 2017

Whereas, The Town Council, as the Board of Works of the municipality, has deemed it necessary to solicit bids for road materials, supplies, and services (work) in order to construct, repair, and maintain public ways throughout the Town; and

Whereas, The Town Council, pursuant to §3.05.030(A)(1)(a) of the HMC, serves as purchasing agency for the Public Works Department (Agency); and

Whereas, The purchase price exceeds \$15,000.00 and pursuant to §3.05.040 (C) of the HMC requires the express approval of the purchasing agency; and

Whereas, The Public Works Director, pursuant to § 3.05.050(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

Whereas, The Purchasing Agent, pursuant to §3.05.060(H) of the HMC, expected that the purchase, aggregate, would be more than \$150,000 and invited bids in accordance with Section §3.05.060(H) of the HMC; and

Whereas, The Public Works Director has prepared bid specifications for the work anticipated for the year 2017 and the work was bid in accordance with §3.05.060(H) of the HMC; and

Whereas, The Bids, tabulation attached hereto, were received at 10:00 a.m. of March 10, 2017;

Whereas, The Public Works Director has reviewed the bids and recommends that *Hook Concrete and Construction, Inc.* be awarded the bid for all classes of concrete work based on being the lowest responsive and responsible bids,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the bid for concrete from Hooks Concrete and Construction, be accepted as the lowest responsive and responsible bid as follows:

Concrete – Highback Curb (< 100 LF)	\$28.20 per LF
Concrete – Highback Curb (> 100 LF)	\$25.50 per LF
Concrete – Rollback Curb (< 100 LF)	\$25.00 per LF
Concrete – Rollback Curb)> 100 LF)	\$23.00 per LF
Concrete – 4” Sidewalk (< 500 SF)	\$6.40 per SF
Concrete – 4” Sidewalk (> 500 SF)	\$4.50 per SF
Concrete – 6” Driveway	\$5.80 per SF

Section 2. The Public Works Director is hereby authorized to execute agreements and all documents necessary to implement the work.

Be it so Ordered.

Duly, Passed and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of March 2017 having passed by a vote of 5 in favor and 0 opposed.

**WORKS BOARD OF THE TOWN
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Exhibit of Bid Tabulations

Estimated Quantity	Unit	Description	Gariup		Reith Riley		Hooks		REX	
			\$	\$	\$	\$	\$	\$	\$	\$
100	LF	Highback Curb (< 100 LF)	\$ 45.00	\$ 4,500.00	\$ 65.00	\$ 6,500.00	\$ 28.20	\$ 2,820.00	\$ 29.00	\$ 2,900.00
100	LF	Highback Curb (> 100 LF)	\$ 34.00	\$ 3,400.00	\$ 49.00	\$ 4,900.00	\$ 25.50	\$ 2,550.00	\$ 27.00	\$ 2,700.00
1000	LF	Rollback Curb (< 100LF)	\$ 48.00	\$ 48,000.00	\$ 52.00	\$ 52,000.00	\$ 25.00	\$ 25,000.00	\$ 29.00	\$ 29,000.00
1000	LF	Rollback Curb (> 100LF)	\$ 35.00	\$ 35,000.00	\$ 42.00	\$ 42,000.00	\$ 23.00	\$ 23,000.00	\$ 27.00	\$ 27,000.00
500	SF	4" Sidewalk (< 500 SF)	\$ 15.00	\$ 7,500.00	\$ 12.75	\$ 6,375.00	\$ 6.40	\$ 3,200.00	\$ 7.50	\$ 3,750.00
5000	SF	4" Sidewalk (> 500 SF)	\$ 8.00	\$ 40,000.00	\$ 9.75	\$ 48,750.00	\$ 4.50	\$ 22,500.00	\$ 6.50	\$ 32,500.00
1000	SF	6" Driveway	\$ 9.50	\$ 9,500.00	\$ 12.60	\$ 12,600.00	\$ 5.80	\$ 5,800.00	\$ 7.00	\$ 7,000.00
				\$ 147,900.00		\$ 173,125.00		\$ 84,870.00		\$ 104,850.00

4. Authorizing the proper officer to publish legal notice of a public hearing to consider additional appropriations in the amount of \$2,300 in the Public Safety Local Income Tax (LIT) Fund.

Councilor Herak moved to authorize the proper officer to publish legal notice of a public hearing to consider additional appropriations as indicated. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication for the hearing was authorized.

Comments or Remarks from the Town Council:

(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison*

Councilor Zemen acknowledged the Building Commissioner who noted that the Plan Commission meeting would be cancelled.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak acknowledged the Public Works Director who reported that the Johnston Street Reconstruction Project did begin on this day.

- **Councilor Steve Wagner:** *Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Liaison.*

Councilor Wagner commended the municipal workforce for having two consecutive months free of injury or accidents in the workplace.

Councilor Wagner acknowledged the Public Works staff that made roads passable shortly after the recent unusual heavy snow.

- **Councilor Konnie Kuiper:** *Town Board of Metropolitan Police Commissioners, Liaison. • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Police Chief who reported a recent visit he and others in the police department had with Officer John Swisher who is still convalescing from the head on collision he experienced while on patrol.

- **Councilor President Dan Vassar:** *Town Executive • Chair of the Board of Police Pension Trustees • Liaison to the Park and Recreation Board.*

Councilor Vassar acknowledged the Parks and Recreation Superintendent, who offered a survey of programming and reported that the seasonal Parks and Recreation Program Book was soon to be distributed.

Comments from Visitors or Residents:

1. Carol Kerr, 2185 Timberidge Lane, Highland, expressed a concern about the adequacy of checks and balances among the governing bodies, noting that Councilor Zemen holds a position on the Plan Commission as well as the Redevelopment Commission. She expressed concerns about this and the pendency of the proposed Gendreau Development to be located on Main Street.

Ms. Kerr further indicated that, while at a Plan Commission meeting, she believed that she had understood Councilor Zemen to express support or favor for the proposed Gendreau Project. Ms. Kerr still further expressed her concern that Councilor Zemen's and perhaps other members' of the reviewing bodies objectivity regarding the proposed Gendreau Development.

The Town Council President enforced time limits from Section 2.05.090(C)(11) of the Municipal Code.

2. Sarah Kitchell, 3020 Hess Drive, Highland, shared a concern regarding the absence of apparent recycling activity by the bars and restaurants in the Town. She noted that she saw the glass bottles and cans disposed in the garbage rather than a separate recycling container. Ms. Kitchell requested that the Town Council consider requiring recycling by bars and restaurants in the Town.

A public works representative was instructed to follow-up with Ms. Kitchell.

3. Larry Kondrat, 8115 - 4th Place East, Highland, referenced a recent TIMES news account of a presentation by Hammond Mayor McDermott in which he expressed favoring an idea he attributed to Councilor Zemen regarding constructing a convention center at the site of the current Public Works Facility in Highland. Mr. Kondrat expressed concerns about the concept and opined regarding the negative impact upon him and others who live near that site.

It was noted that the idea was shared during a meeting in which Councilor Zemen was conceptualizing.

4. Ms. Kerr, inquired about what economic development incentives were being discussed or offered to the Gendreau Development. It was noted that no incentives have been offered.

Payment of Accounts Payable Vouchers. There being no further comments from the public or visitors, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 28, 2017 through March 13, 2017 as well as the payroll dockets for the paydays of February 17 and March 3, 2017. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket and the payroll dockets were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$292,683.44; Motor Vehicle Highway and Street (MVH) Fund, \$23,567.53; Law Enforcement Continuing Education, Training, and Supply Fund,

\$1,615.07; Flexible Spending Account (FSA) Fund, \$1,258.90; Insurance Premium Agency Fund, \$150,978.94; Information and Communications Technology Fund, \$6,088.78; Solid Waste District Grant Fund, \$1,471.75; Civil Donation Fund, \$158.55; Special Events Non Reverting Fund, \$5,200.00; Cumulative Capital Development Fund, \$1,091.20; Traffic Violations and Law Enforcement Agency Fund, \$5,964.50; Total: \$490,078.66.

Payroll Docket for payday of February 17, 2017:

Council, Boards and Commissions, \$8,344.00; Office of Clerk-Treasurer, \$16,284.86; Building and Inspection Department, \$10,267.08; Metropolitan Police Department, \$117,320.53; Fire Department, \$3,844.51; Public Works Department (Agency), \$66,244.62 and 1925 Police Pension Plan Pension Fund, \$67,551.06; Total Payroll: \$289,856.66.

Payroll Docket for payday of March 03, 2017:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$16,365.61; Building and Inspection Department, \$8,505.80; Metropolitan Police Department, \$107,670.15; Fire Department, \$3,637.07; Public Works Department (Agency), \$64,454.97 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$200,633.60.

Adjournment of Plenary Meeting. Councilor Zemen moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 13, 2017 was adjourned at 7:31 O'clock p.m. There was no study session following this meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer